IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO.2771 OF 2005

Vijay Kashinath Raut : Petitioner

V/s.

State of Maharashtra : Respondent

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Mrs.D.M.Shah Advocate (appointed) for the petitioner.

Mrs.S.D.Shinde, Addl. Public Prosecutor for the State.

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CORAM : D.G.DESHPANDE & S.A.BOBDE,JJ.

DATE : JUNE 13, 2006.

P.C.

1. This is a petition for furlough. The opinion of the Superintendent of Police, Thane Rural, dated 30.7.2004 is on record. According to him, the accused and his companions murdered four persons. If the accused is released on furlough, there will be danger to the complainant and the witnesses. The offence appears to have occurred within the limits of Police Station, Savala, Dist. Thane. However, looking to the fact that no statement of the witnesses are referred to in this regard and also the fact that this is a petition for furlough, we allow this petition.

2. The petitioner-accused be released on furlough upon usual terms and conditions, with an additional condition that he will not enter the areas of Savala police station during the furlough period and before he is released on furlough, he will give the address where he will be staying during the furlough and he will report to the nearest police station on every alternate day between 4.00 p.m. and 6.00 p.m.

3. The Criminal Writ Petition is disposed of.

4. Office to communicate this order to the petitioner-accused.

D.G. DESHPANDE, J.

S.A. BOBDE, J.